



Union County, NC Board of Commissioners Regular Meeting Minutes

Union County Government
Center 500 North Main Street Monroe, North Carolina

www.unioncountync.gov

Approved: December 16, 2024

Monday, December 2, 2024

6:00 PM

Board Room, First Floor

Closed Session -

5:15 PM

Present: **Vice Chair Brian W. Helms; Commissioner-Elect Clancy C. Baucom; Commissioner-Elect Christina B. Helms; Commissioner Melissa M. Merrell; and Commissioner-Elect Gary Sides**

Absent: **None**

Also Present: **Brian W. Matthews, County Manager; Patrick Niland, Deputy County Manager; Clayton Voigner, Assistant County Manager; Lynn G. West, Clerk to the Board of Commissioners; and Jason Kay, County Attorney**

At approximately 5:15 p.m., in open session, in the Stony D. Rushing Conference Meeting Room, Vice Chair Brian W. Helms called the meeting to order.

Commissioners-Elect Oath of Office:

Lynn G. West, Clerk to the Board of Commissioners, administered the oath of office of Commissioner to Commissioner-Elect Clancy C. Baucom.



OFFICE OF THE COMMISSIONERS AND MANAGER

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STATE OF NORTH CAROLINA

COUNTY OF UNION

OATH OF OFFICE UNION COUNTY COMMISSIONER

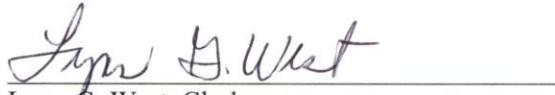
I, Clancy C. Baucom, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

I, Clancy C. Baucom, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Clancy C. Baucom, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.


Clancy C. Baucom
Union County Commissioner

Sworn to and subscribed before me
this 2nd day of December, 2024.


Lynn G. West, Clerk

Union County Board of Commissioners



Wendy Maynard, Clerk of Superior Court for Union County, North Carolina, administered the oath of office of Commissioner to Commissioners-Elect Christina B. Helms and Gary Sides.



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STATE OF NORTH CAROLINA

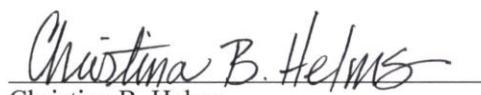
COUNTY OF UNION

OATH OF OFFICE UNION COUNTY COMMISSIONER

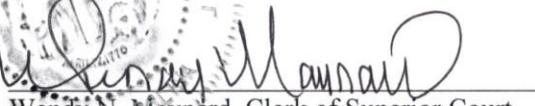
I, Christina B. Helms, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

I, Christina B. Helms, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Christina B. Helms, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.


Christina B. Helms
Union County Commissioner

Sworn to and subscribed before me
this 2nd day of December, 2024.


Wendy N. Maynard, Clerk of Superior Court
Union County, North Carolina Judicial Branch



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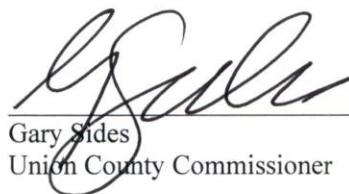
COUNTY OF UNION

OATH OF OFFICE UNION COUNTY COMMISSIONER

I, Gary Sides, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

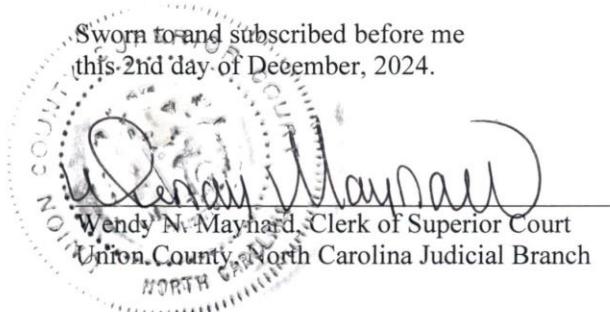
I, Gary Sides, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Gary Sides, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.



Gary Sides
Union County Commissioner

Sworn to and subscribed before me
this 2nd day of December, 2024.



Wendy N. Maynard, Clerk of Superior Court
Union County, North Carolina Judicial Branch

Ms. Maynard left the meeting at the conclusion of the administering of the oaths of office to Commissioners.

Vice Chair Brian W. Helms moved that the Board enter into a closed session for the following:

- 1) pursuant to G.S. 143-318.11(a)(3), to consult with an attorney in order to preserve the attorney-client privilege; and
- 2) pursuant to G.S.143-318.11(a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

The motion passed by a unanimous vote as follows:

Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

At the conclusion of the closed session, at approximately 5:45 p.m., Vice Chair Brian W. Helms moved that the Board end the closed session and return to the open session. The motion passed by a unanimous vote as follows:

Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

Vice Chair Brian W. Helms moved that the Board take a recess to reconvene at 6:00 p.m. in the Board's meeting chamber. The motion passed by a unanimous vote as follows:

Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

Opening of Meeting

Brian Matthews, County Manager, called the regular meeting to order at approximately 6:00 p.m. He stated that pursuant to tradition and practice, the County Manager serves as the presiding officer at the first regular meeting in December until the election and oaths of office for a Chair and Vice Chair have been completed. Mr. Matthews recognized Commissioner Brian W. Helms to offer the invocation.

Invocation - Commissioner Brian W. Helms invited Congressman-Elect Mark Harris for the Eighth Congressional District to offer the invocation.

Pledge of Allegiance – Brian W. Matthews, County Manager, led the body and the audience in reciting the Pledge of Allegiance to the flag of the United States of America.

24-797

Oaths of Office – Commissioners-Elect (Commissioners-Elect Baucom, Helms, and Sides were administered the Oath of Office of Commissioners for ceremonial purposes.)

Lynn G. West, Clerk to the Board of Commissioners, administered the Oath of Office to Commissioner-Elect Clancy Baucom, as his mom, Judy Latham, Kim Baucom, wife; and daughters, Kendra Baucom, Callie Baucom, and Carmen Baucom accompanied him.

STATE OF NORTH CAROLINA

COUNTY OF UNION

OATH OF OFFICE UNION COUNTY COMMISSIONER

I, Clancy C. Baucom, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

I, Clancy C. Baucom, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Clancy C. Baucom, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.

The Honorable Wendy Maynard, Union County Clerk of Superior Court, administered the Oath of Office of Commissioner for Commissioner-Elect Christina B. Helms. The following members of Commissioner-Elect Helms' family and friends were present: Daron Helms, husband; sister, Patty Merlin, brother-in-law Kevin Merlin; Shannon Little, and Christie Lewis, friends.

STATE OF NORTH CAROLINA

COUNTY OF UNION

OATH OF OFFICE
UNION COUNTY COMMISSIONER

I, Christina B. Helms, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

I, Christina B. Helms, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Christina B. Helms, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.

The Honorable Wendy Maynard, Union County Clerk of Superior Court, administered the Oath of Office of Commissioner to Commissioner-Elect Gary Sides, who was accompanied by his wife, Myra Sides, and son, Logan Sides.

STATE OF NORTH CAROLINA

COUNTY OF UNION

**OATH OF OFFICE
UNION COUNTY COMMISSIONER**

I, Gary Sides, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Commissioner for the County of Union, so help me God.

I, Gary Sides, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Gary Sides, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so, help me, God.

24-821 Oath of Office – Register of Deeds-Elect

Lynn G. West, Clerk to the Board of Commissioners, administered the Oath of Office for Register of Deeds to Crystal Gilliard, while her husband, Brian Gilliard, held the Bible. Ms. Gilliard was also accompanied by her sons, Matthew Crump, Brandon Crump, and Brand's wife, Marian Crump.

STATE OF NORTH CAROLINA

COUNTY OF UNION COUNTY

OATH OF OFFICE

FOR REGISTER OF DEEDS

FILED

DATE: December 3, 2024

TIME: 8:51:28 AM

UNION COUNTY

CLERK OF SUPERIOR COURT

BY: M. Andrew

I, CRYSTAL D. GILLIARD, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as REGISTER OF DEEDS for the County of Union, so help me God.

I, CRYSTAL D. GILLIARD, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, CRYSTAL D. GILLIARD, do solemnly swear that I will faithfully and truly, according to the best of my skill and ability, execute the duties of the office of REGISTER OF DEEDS for the County of Union, in all things according to law; so help me God.

This 2nd day of December, 2024.

Crystal D. Gilliard
Crystal D. Gilliard, Union County Register of Deeds

Sworn to and subscribed before me this
2nd day of December, 2024.

Lynn G. West
Lynn G. West, Clerk to the Board of Commissioners



Mr. Matthews offered his congratulations to all of the newly elected officials. He called the next the next item of business for the Election of Officers.

24-798

Election of Officers – Brian Matthews, County Manager

Chair:

Mr. Matthews stated that pursuant to North Carolina General Statute 153A-39 and the Board's Rules or procedure, the Board shall elect a Chair and Vice Chair for the next year on the first Monday in December of each even-numbered year. He explained that the Chair position would be considered first and then the Vice Chair position. He opened the floor for nominations for the position of Chair. Mr. Matthews further explained that the nominations would be voted on in the order in which they were received. He said the Chair position will be considered first and then the Vice Chair position. He stated the first nominee to receive a majority of the votes will be appointed as chair.

Mr. Matthews opened the floor for nominations for the position of Chair.

Commissioner Sides stated that it was his honor and pleasure to nominate his colleague Commissioner Merrill for Chair of the Union County Board of Commissioners.

Mr. Matthews asked if there were any other nominations for the Office of Chair. With there being no further nominations, Mr. Matthews stated he would entertain a motion to close the nominations for Office of Chair.

Commissioner Sides moved that the nominations be closed for the Office of Chair.

Mr. Matthews called for a vote on the motion to close the nominations. The motion passed unanimously as follows:

Commissioner Baucom	Aye
Commissioner Brian W. Helms	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

Mr. Matthews called for a vote on the nomination of Commissioner Merrell for Chair. The motion passed unanimously as follows:

Commissioner Baucom	Aye
Commissioner Brian W. Helms	Aye

Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

Vice Chair:

Mr. Matthews opened the floor for nominations for the position of Vice Chair. He stated that the nominations would be voted on in the order in which they were received. He said the first nominee to receive a majority of the votes would be appointed as Vice Chair. He asked if there were any nominations for the position of Vice Chair.

Commissioner Christina B. Helms nominated Commissioner Brian W. Helms for the position of Vice Chair.

Mr. Matthews asked if there were any further nominations for the Office of Vice Chair. With there being no additional nominations, Mr. Matthews stated he would entertain a motion to close the nominations for the Office of Vice Chair.

Commissioner Christina B. Helms moved that the nominations be closed for the Office of Vice Chair.

Mr. Matthews called for a vote on the motion to close the nominations. The motion passed unanimously as follows:

Commissioner Baucom	Aye
Commissioner Brian W. Helms	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

Mr. Matthews called for a vote on the nomination of Commissioner Brian W. Helms for Vice Chair. The motion passed unanimously as follows:

Commissioner Baucom	Aye
Commissioner Brian W. Helms	Aye
Commissioner Christina B. Helms	Aye
Commissioner Merrell	Aye
Commissioner Sides	Aye

24-799 Oaths of Office – Chair and Vice Chair

Chair:

Lynn G. West, Clerk to the Board of Commissioners, administered the

Oath of Office for Chair of the Board of Commissioners for Commissioner Merrell. Commissioner Merrell was accompanied by her husband, Rob Merrell.



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COUNTY OF UNION

OATH OF OFFICE Chair, Board of Commissioners

I, Melissa M. Merrell, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Chair of the Board of Commissioners for the County of Union, so help me God."

I, Melissa M. Merrell, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

I, Melissa M. Merrell, do swear that I will well and truly execute the duties of the office of Chair of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.

A handwritten signature in black ink, appearing to read "Melissa M. Merrell".

Melissa M. Merrell, Chair

Sworn to and scribed before me
the 2nd day of December, 2024.

A handwritten signature in black ink, appearing to read "Lynn G. West".

Lynn G. West



Vice Chair:

Lynn G. West, Clerk to the Board of Commissioners, administered the Oath of Office of Vice Chair for Commissioner Brian W. Helms. Commissioner Brian W. Helms was accompanied by his wife, Deb Helms, and their daughter, Ava Helms, and son, Luke Helms.



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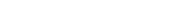
COUNTY OF UNION

OATH OF OFFICE
Vice Chair, Board of Commissioners

I, Brian W. Helms, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Vice Chair of the Board of Commissioners for the County of Union, so help me God."

I, Brian W. Helms, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

I, Brian W. Helms, do swear that I will well and truly execute the duties of the office of Vice Chair of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.



Brian W. Helms, Vice Chair

Sworn to and subscribed before me
this the 2nd day of December, 2024.

Dawn G. West



Following the Oaths of Office, Mr. Matthews relinquished the gavel to Chair Merrell to call the next item on the agenda.

24-816 Elected Officials' Bonds

Chair Merrell stated that pursuant to the North Carolina General Statutes, the Register of Deeds is required to maintain personal bonds while in office. She said the individual is responsible for securing these personal bonds. She further said that Union County has undertaken the responsibility for the placement of these bonds. Chair Merrell explained that the action requested is for the approval of a bond for the Register of Deeds in the amount of \$25,000.

Vice Chair Brian W. Helms moved approval of the bond amount of \$25,000 for the Register of Deeds. The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Sides	Aye

24-817 Employees' Bonds

Chair Merrell explained that pursuant to Statute, the Finance Director and Tax Administrator are required to maintain personal bonds while in office. She further explained that these individuals are responsible for securing these bonds. Chair Merrell stated that Union County has undertaken the responsibility for the placement of these bonds.

Vice Chair Brian W. Helms moved approval of the bond amounts of \$1,000,000 for the Finance Director and \$60,000 for the Tax Administrator.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye

Commissioner Sides

Aye

Informal Comments

Chair Merrell reviewed the guidelines for the speakers who wished to speak during the informal comments. She announced that one person had registered to speak during informal comments and recognized Jen Sanders for her comments.

Ms. Sanders offered her congratulations to the newly elected Commissioners and said she hoped they would take on their new offices and all that it entails, including representing all residents. Ms. Sanders also congratulated Chair Merrell on her new position.

She spoke about House Bill 10 being overridden and asked what the Board plans to do to support Union County Public Schools, students, and employees. She stated that last week a half a billion dollars were taken from public education to go towards the voucher program. She asked that the Board fight for public education and to pay the teachers a living wage. Ms. Sanders said it is something about which she is very passionate.

She asked that the elected officials in Union County be a voice for all and to remember we all come from different religious backgrounds and economic and political backgrounds, but we are all Union County proud.

Chair Merrell asked if there was anyone else in the audience who had not registered to speak during the informal comments but wished to speak.

With there being no other persons wishing to address the Board during the informal comments, Chair Merrell called the next agenda item.

Public Hearing(s)

24-809 Public Hearing – Text Amendments to Sections 5.030-C (Cluster Development) and 60.040 of the Union County Development Ordinance

Chair Merrell announced that the next two items on the agenda were for public hearings. She read the rules that apply to speaking during a public hearing.

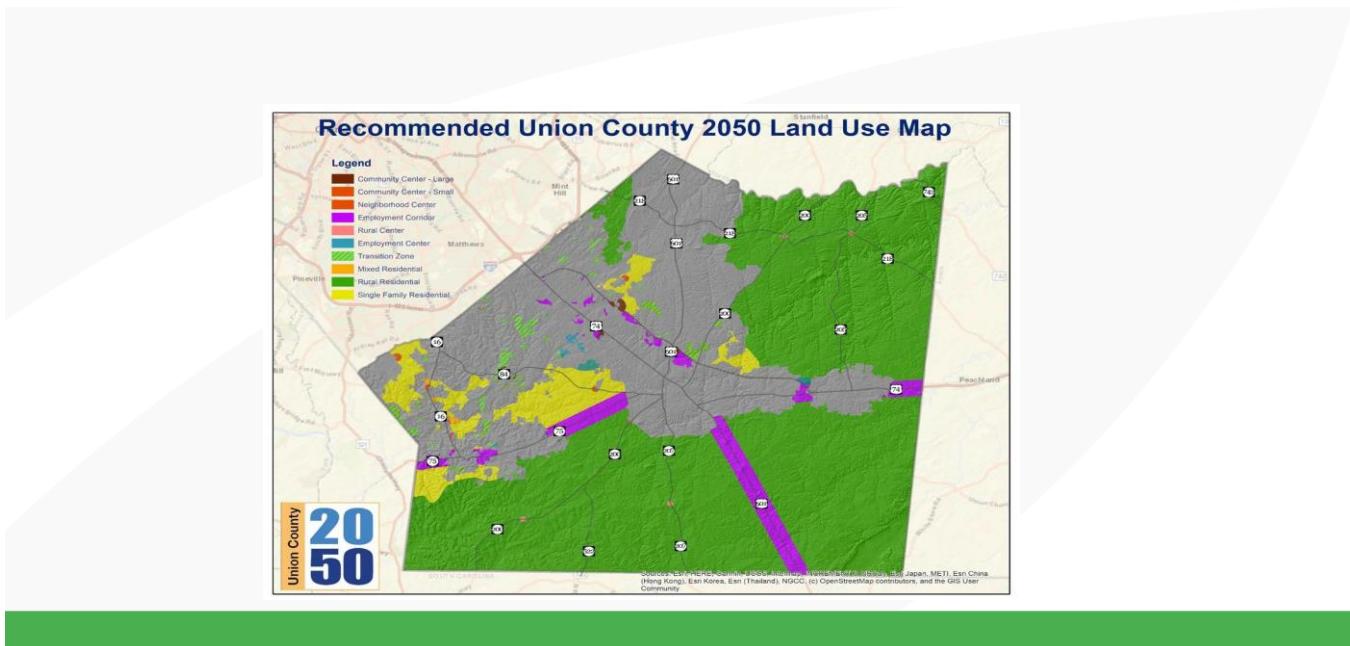
Chair Merrell opened the public hearing at approximately 6:28 p.m. and recognized Lee Jenson, Planning Director, for comments from staff.

Mr. Jenson congratulated Chair Merrell, and Vice Chair Brian W. Helms, Commissioners Christina Helms and Gary Sides.

He explained that both public hearings tonight are based on directions given by the Board in August 2024 to look at ways to handle development in the rural area of Union County. He said that staff came back last month with a couple of ideas and developed those into text ordinance language, which have been to the Planning Board and are now being presented to the Board of Commissioners for a public hearing.

Mr. Jenson stated that the first public hearing was related to how major subdivisions are handled in the rural parts of the County. He displayed a slide showing the 2050 Land Use Map that is a part of the 2050 Comprehensive Plan.

UC 2050 Land Use Map



He noted that the rural areas are those shown in green. Mr. Jenson described the vast majority of unincorporated Union County as being the rural residential part of the county.

He said that as part of the comprehensive plan, there were several implementation recommendations. Mr. Jenson said one of those was how to handle open space in rural areas. He further said handling open space was trying to preserve heritage, agriculture, and the rural nature of the county.

He cited a specific recommendation that came from the Comprehensive Plan Implementation Process to "Require 30% minimum open space in all developments." Mr. Jenson said this recommendation went to the committee and to the Planning Board, and both supported the recommendation unanimously. He stated that it had come before the Board of Commissioners prior to two of the current Commissioners coming on the Board. He said it was supported unanimously by a past Board of Commissioners.

Mr. Jenson said when the direction came from the Board to look at development in the rural parts of the County, this was the first one that came to mind-because it had been through the process and had been vetted. He stated that this would apply to all new major subdivisions which he described as subdivisions of more than eight (8) lots. He noted that 30 percent of the site would be set aside as open space, and it would not apply to minor subdivisions. He stated that minor subdivisions are usually, but not always, when someone wants to give a lot to a child or a child wants to give a lot to a parent. Mr. Jenson said that sometimes there may be a developer or cuts off five to six lots on which to build houses.

He shared graphics depicting traditional development with no open space. He explained that if there is a traditional development of 100 acres zoned R-40, it is roughly 100 homes and no open space. He then shared a graphic depicting a development of 100 acres with 30 percent open space of 70 homes.

Mr. Jenson said if a development came to Planning and if there is a FEMA Floodplain and any stream buffers on the property, that would come off the top, and then any existing and proposed street rights of ways would come off the top, and then the 30 percent open space would be taken out leaving the net density. He stated that is how the number of lots is determined in a development.

He displayed slides showing the proposed text amendment to Section 5.030-C Cluster Development:

Section 5.030-C Cluster Development

Section 5.030 Lot and Building Regulations

5.030-C Cluster Development

4. Open Space

- a. Each cluster development must include permanently protected common open space equal to at least ~~10~~30 percent of the gross area of the subdivision or the difference between the cumulative total lot area that would have been required under the conventional development minimum lot area requirements of [§5.030-B](#) and the actual cumulative total area provided within the cluster development, whichever results in a greater amount of open space.

He noted that the Ordinance currently requires at least 10 percent of the site be set aside as open space, and this is being proposed as 30 percent set aside. He stated that a cluster development can cut the lot size in half. He cited, for example, an R-40 lot with water and sewer could have 20,000 square foot lots but no additional density. He stated theoretically with 100 acres, there could be 100 lots with everything else set aside as open space. Mr. Jenson stated that, in reality, there would be much more than 30 percent open space.

He shared a slide showing the proposed text amendments to Section 60.040 Major Subdivision Space:

Section 60.040 Major Subdivision Open Space

Section 60.040 Major Subdivision Open Space Reserved (Amended 7-1-2021)

60.040-A Basic Open Space Requirements

For new major Subdivisions in areas identified as “Rural Residential” on the future land use map in the current comprehensive plan, there shall be set aside 30% of the acreage of the development site as common open space. The required common open space shall not be used to calculate maximum site density and shall be subtracted after items in 5.030-B (3) (1) (a)-(b) for Conventional Developments, and 5.030-C (3) (a)-(c) for Cluster Developments, have been excluded from maximum site density.

60.040-B Additional Open Space Requirements for Cluster Development

Common open space as required by 60.040-A for Cluster Developments shall follow and meet the requirements for Open Space set forth in 5.030-C(4)(a)-(g).

Mr. Jenson said this is an entirely new section and is part of the development standards of the Ordinance. He stated that it applies to new major subdivisions in the rural residential area on the future land use map. He said that under Section 60.040-A, 30 percent of the site would have to be set aside as common open space. He stated that Section 60.040-B shows additional open space requirements for cluster developments and relates to how open space has to be handled.

Section 60.040 Major Subdivision Open Space

- a. A permanent conservation easement in favor of either:
 - 1. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions;
 - 2. A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);
- b. An open space tract protected by a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
- c. An equivalent legal tool that provides permanent protection, as approved by the county attorney.

- 4. The applicant must identify the owner of the open space. The designated owner and the owner's successors are responsible for maintaining the open space and any associated facilities. If a property owners association is the owner, membership in the association is mandatory and automatic for all property owners within the development and their successors.
- 5. The applicant must submit a management plan for the open space and all common areas. The management plan must::
 - a. Allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;
 - b. Estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided; and
 - c. Describe the means of enforcing the management plan.

Mr. Jenson stated that the Land Use Board considered this proposed text amendment at its regular meeting in November, and it unanimously recommended to approve the proposed text amendment.

Commissioner Baucom asked who would maintain ownership of the 30 percent set aside.

Mr. Jenson responded it would be the homeowners' association, and it would not be the developer. He added that it could be donated to the Catawba Land Conservancy or donated to the County, and the Board of Commissioners would have to accept the donation and ownership. He said it also could be donated to a nearby town. He stated that it would not be available to be developed in the future.

Chair Merrell stated that no one had registered to comment during the public hearing. She asked if there was anyone who had not registered and wished to speak during the public hearing.

Jen Sanders came to the podium and stated that she resides in Waxhaw.

Ms. Sanders said she loved the idea of the 30 percent open space. She questioned with all the new and larger developments, could it be incorporated to ask the developers to reserve land for schools and school growth? She stated that, especially in the rural developments, where they will start to expand, she thought it was very important to work with the developers to find a way to help build schools.

Jason Kay, County Attorney, asked Ms. Sanders to clarify for the record if she was for or against the current proposal, understanding that she did have an additional question to be considered.

Ms. Sanders reiterated she loved the proposal and thought it was great.

With there being no one else present wishing to comment during the public hearing, at approximately 6:39 p.m., Chair Merrell closed the public hearing.

24-810 Public Hearing – Text Amendment to Table 5-2 (R District Lot and Building Regulations – Conventional Development) and 60.070 (Lots and Access) of the Union County Development Ordinance

Chair Merrell opened the public hearing at approximately 6:39 p.m. and recognized Lee Jenson, Planning Director, for comments from staff.

Mr. Jenson stated that this was the second recommendation brought to the Board by staff:

Lot frontage and lot size

- 1) Increase minimum road frontage and lot size requirement on lots taking direct access to an arterial street.
- 2) Frontage requirement would vary based on the posted speed of the road
- 3) Minimum lot sizes would vary based on arterial frontage vs local street frontage and speed limit

Mr. Jenson stated that the arterial streets are generally the higher speed roads, such as Highway 601, Olive Branch Road, Lawyers Road, typically 55 miles per hour with a number of hills and curves. He explained that the road frontage could be less on roads with 45-mile-per-hour speed limits. He stated the road frontage would increase as the speed increases.

He displayed a slide illustrating higher speed roads = larger lots and increased road frontage. [55-speed limit – larger lots, fewer driveways and intersections, and faster speed limits, which would reduce areas of conflict between people turning out of driveways and people already on the roads.)

Mr. Jenson also displayed a slide illustrating slower speed roads = smaller lots and less road frontage (mainly local roads and subdivision streets). He said there would still be conflict, but people are usually driving slower.

He displayed the following slide:

Table 5-2: R District Lot and Building Regulations – Conventional Development

Section 5.030 Lot and Building Regulations

Table 5-2: R District Lot and Building Regulations—Conventional Development (amended 8-6-2018)

Figure 5-2	Regulations	RA-200		R-40 RA-40	R-20 RA-20	R-15	R-10	R-8	R-6	R-4
		Minimum Lot Size								
L1	Area (square feet)	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000	
	Area per dwelling unit (sq. ft.)									
	Detached House	200,000	40,000	20,000	15,000	10,000	8,000	6,000	4,000	
	Two-unit house	NA	30,000	15,000	11,250	7,500	6,000	4,500	3,000	
	Townhouse	NA	NA	NA	NA	6,250	5,000	3,750	2,000	
	Multi-unit building	NA	NA	NA	NA	6,250	5,000	3,750	2,000	
L2	Width (feet) [1]	300	120	100	80	70	60	50	35	
	Minimum Setbacks (feet)									
S1	Street/front [2]	40	40	40	30	30	30	25	20	
S2	Side [3]	15	15	12	10	10	10	8	5	
S3	Rear	40	40	40	30	30	30	25	25	
S4	Corner Side	20	20	20	15	15	15	12.5	12.5	
	Max. Building Height (feet)	35	35	35	35	35	30	50	50	
	Max. Coverage for bldgs. & structures	40%	40%	40%	40%	40%	40%	40%	40%	

[1] Lot width does not apply to townhouses

[2] Corner lots— one street side yard shall be 1/2 of the required street/front setback

[3] For townhouses, side setbacks apply to end units only.

[4] Non-residential uses allowed in residential districts may exceed the 35 ft. height limitation but shall not exceed 50 ft. in overall height.

[5] Lot sizes and widths listed in this table apply only to properties which do not have public road frontage or which have frontage on public which have speed limits of less than 40 mph. For lots fronting on roads with a posted speed limit of 40 mph or greater, please refer to section 60.070-A (2) for additional requirements.

Mr. Jenson noted the bottom of the table above refers to another section of the ordinance relative to the speed limit issue as set out below:

Section 60.070 Lots and Access

Section 60.070 Lots and Access

60.070-A Lots

1. The size, shape and orientation of lots must comply with applicable zoning district standards and be appropriate for the location, topography and physical features present and for the type of development and use contemplated.
2. Minimum lot dimensions, building setback lines and lot areas must conform to applicable zoning district requirements.

3. In all residential zoning districts except RA-200, for lots with frontage on public roads with a speed limit of 40 mph or greater, the following standards apply:

- a. For lots with frontage on public roads with a speed limit between 40 mph and 53 mph, the minimum lot size shall be 60,000 square feet, with a minimum of 150 feet of road frontage.
- b. For lots with frontage on public roads with a speed limit of 55 mph or higher, the minimum lot size shall be 80,000 square feet with a minimum 240 feet of road frontage (unless it meets the criteria of subsection (c) immediately below.
- c. For lots with frontage on public roads with a speed limit of 55 mph or higher that are less than two miles in length, the minimum lot size shall be 60,000 square feet with a minimum of 150 feet of road frontage.

Mr. Jenson stated that it would apply in all residential districts except RA-200 because those lots are bigger and have more road frontage. He noted that on public roads with speed limits of 40 miles per hour or greater, then one of the three standards above would apply. For speed limits between 40 and 53 miles per hour, the minimum lot size would be 60,000 square feet and the minimum road frontage would be 150 feet. He said for speed limits 55 miles per hour and higher, the minimum lot size would be 80,000 square feet. Mr. Jenson clarified that 60,000 square feet is approximately one and a half acres and 80,000 square feet is approximately two acres. He stated that 55 miles per hour or higher speed limit would have 240 feet minimum road frontage unless and sometimes there are roads with a posted speed limit of 55 miles per hour, but the road is short and is a dead-end street or it is a street that connects two other roads, but it is short, and it is difficult to achieve 55 miles per hour on that road, so in those instances where there is a short section of road where it might be posted as 55 miles per hour and less than two miles in length, then the minimum lot size is 60,000 square feet, and the minimum road frontage is 150 feet.

Mr. Jenson shared that the Planning Board struggled with this proposal and had some fairly large concerns. He pointed out that this would not only apply to major subdivisions but also minor subdivisions. He explained that the Planning Board had concerns about how this might apply to persons carving out a lot to give to a son or grandparent, etc. Mr. Jenson stated that based on those concerns, the Planning Board unanimously recommended to deny this text amendment. He said he thought staff could take this issue back to the Planning Board and with a study develop some alternative ideas.

Vice Chair Brian W. Helms said there are a number of things that he really likes about the proposal such as stipulating the minimum lot size and how it is set out as a, b, and c. He stated that one of the Land Use Board's major concerns was the minimum road frontage.

Mr. Jenson explained that the Land Use Board had a concern about how much road frontage would be required. He further explained that the Land Use Board had concerns about some of the lot sizes, especially as it came closer to two acres.

Vice Chair Brian W. Helms said he thought this was a good start. He said he understood there are some valid concerns by the Land Use Board. He stated he would be in favor of continuing to work on it. He expressed appreciation to Mr. Jenson for bringing the proposed recommendation to the Board.

No one had registered to comment during the public hearing. Chair Merrell asked if there was anyone present who wished to speak during the public hearing. With there being no one who wished to address the Board at this time, Chair Merrell closed the public hearing at approximately 6:48 p.m.

Consent Agenda

Commissioner Sides stated that he had an addition to the Business Agenda entitled "Senior Nutrition Home Delivered Meals Waiting List." He said it was a request for information and not an action or voting item. He suggested placing the item on the Business Agenda before Item 24-819 – Appointment of Commissioners to Boards and Committees.

Vice Chair Brian W. Helms moved pursuant to Rule 29 of the Board's Rules of Procedure, to add Item 24-809 – Text Amendment to Sections 5.030-C (Cluster Development) and 60.040 of the Union County Development Ordinance to the Business Agenda.

Chair Merrell stated that this item would be added to the end of the Business Agenda.

With there being no further additions or deletions to the agenda, Vice Chair Brian W. Helms moved approval of the Business Agenda, as amended, and the items listed on the Consent Agenda, as submitted and

recommended. The motion passed by a unanimous vote as follows:

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Sides	Aye

24-789 Task Order Amendment – SCADA Master Plan

ACTION: Accepted the scope of services as shown in Amendment 04 to Task Order 2020-02 with HDR Engineering, Inc., of the Carolinas in the amount of \$139,850, and authorized the County Manager to negotiate and execute an agreement substantially consistent with this agenda item.

The Capital Improvement Program, as adopted by the Board of County Commissioners, includes funding for the assessment, design, and replacement of System Control and Data Acquisition (SCADA) infrastructure. Master planning for SCADA system replacement, radio communications analysis (telemetry), and human-machine interface (HMI) software acquisition activities have been completed as part of the overall SCADA project effort. The master plan identified projects for implementation grouped into three main categories (1) network architecture, (2) telemetry, and (3) replacement of remote terminal units (RTU's) and programmable logic controllers (PLC's). The design and construction of required improvements for the SCADA system computer network (network architecture) have been completed. The design for the telemetry system and RTU and PLC replacements has been completed and the project is presently under construction. Supporting these projects is the implementation and deployment of the new HMI software.

The deployment and implementation of the selected HMI software, VTScada, is largely complete including the development of the object library, graphic interface, and the establishment of connectivity to the existing Data Flow Systems database. Amendments 01 through 03 to the scope of services with HDR Engineering of the Carolinas have been executed increasing the total contract amount by \$123,006 from \$396,582 to \$519,588 to cover costs related to system training, updates and additions to the object library, and support services for the purchase, installation, and configuration of network equipment required to support VTSCADA at the Crooked Creek WRF.

Amendment 04 to Task Order 2020-02 includes costs for additional services required for the implementation and deployment of the HMI software for the Crooked Creek WRF; support services related to network

security domain migration, VOIP alarm setup and configuration, data routing, and remote access coordination; and resolution of communication protocols at existing facilities. The additional services are required due to the complexities of implementing the VTSCADA HMI software with the existing Data Flow Systems hardware and database configurations.

The scope of services for VTScada deployment identified in Task Order 2020-02 Amendment 04 has been reviewed by UCW Engineering staff and is appropriate for the project. Services are to be provided on a lump sum basis in the amount of \$139,850 and increase the total contract amount from \$519,588 to \$659,438.

Funding is available within the adopted Capital Improvement Program to support the VTScada deployment professional services contract as described in Task Order 2020-02 amendment 04 in the amount of \$139,850.

24-791 Contract – Program Management Services for Customer Information System Replacement

ACTION: Authorized the County Manager to 1) negotiate and execute an agreement substantially consistent with this agenda item, 2) exercise any renewal or extension term options set forth in the Agreement, and 3) terminate the Agreement if deemed in the best interest of the County, each in the County Manager's discretion.

Union County Water's (UCW) existing Customer Information System (CIS), Harris NorthStar (NorthStar), is obsolete and not capable of meeting UCW's current or future needs. UCW is implementing a complete replacement with new CIS software that will be used by all UCW departments in the day-to-day management of the utility.

The CIS is a software application that acts as a central hub to manage all customer-related data, including billing, account details, usage information, payments, and service orders. The current CIS, NorthStar, has been utilized for approximately twenty years and is obsolete, lacking modern features of current technology required to better meet UCW's current or future needs. The obsolete condition of NorthStar has led to insufficient technical support, integration limitations with other systems utilized by UCW for day-to-day operations, and the need for additional software to generate essential reports for managing billing and customer accounts. In addition to being obsolete, UCW has experienced significant reliability issues with NorthStar, including frequent software crashing, slow performance, failure for work orders to transfer to UCW's asset management software, and frequent restarting of the server due to overall system failures.

Due to the unique nature and importance of this project, UCW developed

a project charter for the implementation of a new CIS that identified the need for a Program Manager to serve as the subject matter expert to guide and assist UCW staff with the project.

The Procurement Department partnered with UCW to issue Request for Proposals 2024-077 Program Management Services for the Customer Information System Replacement Project. On June 04, 2024, ten proposals were received and reviewed by an evaluation team in accordance with the applicable evaluation criteria for this project. The top-ranked five firms/vendors were invited to shortlist interview/presentations. The team selected Berry, Dunn, McNeil, & Parker, LLC (BerryDunn) as the preferred offerer to provide Program Management services for the Customer Information System Replacement Project.

The scope of services for initial planning and software needs assessment for the CIS replacement is outlined in the attached contract with BerryDunn. The scope of services provided has been reviewed by UCW staff and is appropriate for the project. Services are to be provided on a fixed fee basis of \$177,995.00 which includes an allowance of \$17,500 for travel expenses.

Funding is available within the adopted FY2025 UCW operating budget to support the contract in the amount of \$177,995.00.

24-807 Contract Renewal – Work Order Software

ACTION: Authorized the County Manager to 1) negotiate and execute an agreement substantially consistent with this agenda item, 2) exercise any renewal or extension term options set forth in the Agreement, and 3) terminate the Agreement if deemed in the best interest of the County, each in the County Manager's discretion.

This software is used to manage work orders and maintenance activities, with both desktop and mobile versions. It allows staff to plan, dispatch, and complete work orders while capturing information about the assets involved as well as the equipment, labor, and parts utilized during the course of the work. Lucity/EAM also integrates with the Customer Information System, NorthStar, to allow staff to push customer service requests for execution by Operations staff.

The Union County Water Department has utilized the contractual services of Lucity/Tritech for work order software since June 2016. The company has been effective and efficient in meeting our service needs, and the request is to continue this service for an additional five years. The department will collaborate with Procurement to explore solicitation opportunities during the early part of the third year of the agreement.

The anticipated first year cost for this service is \$34,779.72. Since the contract contains an initial term of three years with an option for two one-year renewals, with an annual five percent increase in cost, a total of \$192,179.91 is estimated to be spent. Funding is available in the adopted FY2025 budget with future expenditures subject to annual budget appropriation.

24-812 Purchase - Tasers

ACTION: Authorized the County Manager to 1) negotiate and execute an agreement substantially consistent with this agenda item, 2) exercise any renewal or extension term options set forth in the Agreement, and 3) terminate the Agreement if deemed in the best interest of the County, each in the County Manager's discretion.

Union County Sheriff's Office is requesting to add a total of fifteen (15) tasers for new positions over a period of 2 years.

N.C.G.S 143-129(e)(3) and N.C.G.S 143-129(e)(9) allow local governments to make purchases through a competitively bid North Carolina Statewide Term Contract or a Group Purchasing Program.

The purchase of the 15 tasers will be made using a Group Purchasing Program, League of Oregon Cities (NPP), Contract No. PS20270, as quoted by Axon Enterprise, Inc., Procurement and Contract Management has vetted this contract and purchase amount.

The anticipated cost for the tasers is \$35,802.00 annually with year 1 budgeted accordingly for FY2025 and year 2 pending annual budget approval. The two-year total is \$71,604.00.

24-822 Change Order – Union County Jail Generator Replacement Project

ACTION: 1) Authorized the County Manager to negotiate and execute an agreement substantially consistent with this agenda item, exercise any renewal or extension term options set forth in the agreement, and terminate the agreement if deemed in the best interest of the County, each in the County Manager's discretion, and 2) adopt Capital Project Ordinances # 259B and # 367A.

The Union County Jail is currently served by a 160 kVA generator that is at the end of its service life. The project will replace the generator with a 600kVA generator currently owned by the County but not in service. The increased capacity of the replacement generator will allow more effective generator coverage for the Jail.

During the submittal process, an engineered electrical coordination study was completed and found compatibility issues related to the older

switchgear in the existing Jail. The engineer and contractor determined that significant upgrades would be required that were not anticipated nor shown in the scope of work. This change order is for equipment and labor needed to properly upgrade the electrical service equipment.

Facilities Management has utilized the contractual services of Locke-Lane Construction Inc. for construction services on the Union County Jail Generator Replacement Project since February 2023. This request is to approve the contract amendment to upgrade existing electrical service equipment as required to ensure a safe and effective system is in place.

This request also includes the adoption of CPO #259B and CPO #367A to provide sufficient funds in the Jail Generator Replacement capital account, 40080113, to cover these additional costs and allow additional budget for future change orders if needed. Any unused budget can be transferred for use on other projects at the completion of the project. We are requesting the transfer of funds totaling \$75,000.00 from the UCSO R&R capital account, 40080135, into the Jail Generator Replacement capital account, 40080113.

The contractor has submitted Change Order # 5074-02 in the amount of \$99,512.00 to cover these unexpected costs. The original contract price was \$249,199.00, and with this change order, the price will increase to \$348,711.00.

The cost of this change order is \$99,512.00. Upon approval of CPO #259B and CPO #367A there will be sufficient funds in the Jail Generator Replacement capital account, 40080113, to cover this expense.

UNION COUNTY, NORTH CAROLINA
2024-2025
CAPITAL PROJECT ORDINANCE #259B

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NORTH CAROLINA:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

UC Jail Generator Replacement
UC Jail Domestic Water Alternate Source Piping

Including the replacement of equipment, the acquisition and construction of new facilities, the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefore an addition of \$75,000 is hereby appropriated for total project cost of \$435,000.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

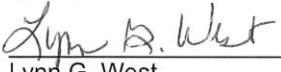
Transfer from EMS Fund	\$360,000
Transfer from General Fund	\$75,000

Section III. The attached CPO #259B chart is incorporated herein showing appropriations to date, reductions/additions as of this capital project ordinance, and the total appropriation.

Section IV. That the finance officer is authorized from time to time to transfer as a loan from the General Fund or unspent County proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the finance officer is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Section V. This capital project ordinance is adopted and effective this 2nd day of December 2024.

ATTEST:



Lynn G. West,
Clerk to the Board



Chair, Union County Board of Commissioners

CAPITAL PROJECT ORDINANCE AMENDMENT

BUDGET	General CIP Fund			REQUESTED BY	Chris Boyd		
FISCAL YEAR	FY 2025			DATE	December 2, 2024		
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
General CIP Fund - Jail Maintenance				General CIP Fund - Jail Maintenance			
IFT from EMS Fund	360,000	-	360,000	UC Jail Generator Replacement	295,000	75,000	370,000
IFT from General Fund	-	75,000	75,000	UC Jail Domestic Water Alternate Source Piping	65,000	-	65,000
Total	360,000	75,000	435,000	Total	360,000	75,000	435,000

EXPLANATION: Transfer funding to UC Jail Generator Replacement project from UCSO R&R capital project budget to provide funds for equipment and labor necessary to upgrade the electrical service equipment.

DATE: _____

APPROVED BY:

Bd of Comm/County Manager
Lynn West/Clerk to the Board

PROJECT SOURCES				FOR FINANCE POSTING PURPOSES ONLY			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
General CIP Fund - Jail Maintenance				General CIP Fund - Jail Maintenance			
UC Jail Generator Replacement				UC Jail Generator Replacement			
IFT from EMS Fund	295,000	-	295,000	Buildings	295,000	75,000	370,000
40080113-4020				40080113-5580			
IFT from General Fund	-	75,000	75,000				
40080113-4010							
UC Jail Domestic Water Alternate Source Piping				UC Jail Domestic Water Alternate Source Piping			
IFT from EMS Fund	65,000	-	65,000	Buildings	65,000	-	65,000
40080145-4020				40080145-5580			
Total	360,000	75,000	435,000	Total	360,000	75,000	435,000

Prepared By EC
Posted By _____
Date _____

Number CPO - 259B

**UNION COUNTY, NORTH CAROLINA
ANNUAL OPERATING R&R – FISCAL YEAR 2024-2025
CAPITAL PROJECT ORDINANCE #367A**

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NORTH CAROLINA:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Annual Operating R&R Projects

Facilities Operating Capital
Facilities Replacement & Renewal
UCSO Operating Capital
UCSO Replacement & Renewal
Parks and Rec Replacement & Renewal
SPCC Maintenance
SPCC Technology
SPCC HVAC, Security, Other

Including the replacement of equipment, the acquisition and construction of new facilities, the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required, therefore a reduction \$75,000 is hereby appropriated for total project cost of \$3,040,900.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Interfund Transfer from:	
General Fund	\$ 3,040,900

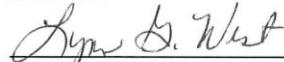
Section III. The attached CPO #367A chart is incorporated herein showing appropriations to date, additions as of this capital project ordinance, and the total appropriation.

Section IV. That the finance officer is authorized from time to time to transfer as a loan from the General Fund or unspent County proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the finance officer is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

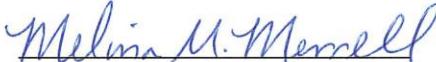
Section V. That the finance officer is authorized at the time of project completion to close out the capital project and remove it from the general ledger.

Section VI. This capital project ordinance is adopted and effective this 2nd day of December 2024.

ATTEST:



Lynn G. West,
Clerk to the Board



Melina M. Merrill
Chair, Union County Board of
Commissioners

CAPITAL PROJECT ORDINANCE AMENDMENT

BUDGET	General CIP Fund			REQUESTED BY	Chris Boyd		
FISCAL YEAR	FY 2025			DATE	December 2, 2024		
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
IFT from General Fund	3,115,900	(75,000)	3,040,900	R&R projects for General Capital	2,725,000	(75,000)	2,650,000
				R&R projects for SPCC	390,900	-	390,900
Total	3,115,900	(75,000)	3,040,900	Total	3,115,900	(75,000)	3,040,900
EXPLANATION: Transfer funding to UC Jail Generator Replacement project from UCSO R&R capital project budget to provide funds for equipment and labor necessary to upgrade the electrical service equipment.							
DATE:	APPROVED BY: BOCC/County Manager Lynn West/Clerk to the Board						
FOR FINANCE POSTING PURPOSES ONLY							
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
Facilities Operating Capital				Facilities Operating Capital			
IFT from General Fund	630,000	-	630,000	Building & Improvements	630,000	-	630,000
40080131-4010-52025				40080131-5580-52025			
Facilities Replacement & Renewal				Facilities Replacement & Renewal			
IFT from General Fund	1,295,000	-	1,295,000	Building & Improvements	1,295,000	-	1,295,000
40080069-4010-52025				40080069-5580-52025			
UCSO Operating Capital				UCSO Operating Capital			
IFT from General Fund	175,000	-	175,000	Building & Improvements	175,000	-	175,000
40080132-4010-52025				40080132-5580-52025			
UCSO Replacement & Renewal				UCSO Replacement & Renewal			
IFT from General Fund	325,000	(75,000)	250,000	Building & Improvements	325,000	(75,000)	250,000
40080135-4010-52025				40080135-5580-52025			
Parks and Rec Replacement & Renewal				Parks and Rec Replacement & Renewal			
IFT from General Fund	175,000	-	175,000	Building & Improvements	175,000	-	175,000
40080134-4010-52025				40080134-5580-52025			
CC Campground Replacement & Renewal				CC Campground Replacement & Renewal			
IFT from General Fund	125,000	-	125,000	Building & Improvements	125,000	-	125,000
40080134-4010-52025				40080134-5580-52025			
SPCC Maintenance				SPCC Maintenance			
IFT from General Fund	115,900	-	115,900	Payment to Other Govt Agencies	115,900	-	115,900
40080067-4010-52025				40080067-5630-52025			
SPCC Technology				SPCC Technology			
IFT from General Fund	175,000	-	175,000	Payment to Other Govt Agencies	175,000	-	175,000
40080076-4010-52025				40080076-5630-52025			
SPCC HVAC, Security, Other				SPCC HVAC, Security, Other			
IFT from General Fund	100,000	-	100,000	Payment to Other Govt Agencies	100,000	-	100,000
40080077-4010-52025				40080077-5630-52025			
Total	3,115,900	(75,000)	3,040,900	Total	3,115,900	(75,000)	3,040,900

Prepared By EC
Posted By _____
Date _____

Number CPO - 367

24-815 Grant Application – Delta Dental Foundation

ACTION: 1) Approved the Public Health Department's request to apply for Delta Dental Foundation funding, 2) upon award of the funding, authorize the County Manager to execute an agreement substantially consistent with this agenda item, and 3) upon receipt of the grant award, recognize, receive, and appropriate the awarded amount to the Public Health budget.

The Delta Dental Foundation is accepting applications for grant funding up to \$5,000 to support community dental care for children through their Smiles for Kids Grants Program. The Public Health Dental Clinic requests approval to apply for these funds to support and expand its dental care services for children who have financial challenges receiving the necessary care. We anticipate 25-30 children can be served through this funding.

The County's Dental Clinic provides general dentistry services and education to residents who may have difficulty obtaining dental care due to financial needs or access to other providers. The clinic provides services for adults and children beginning at (1) one year of age. The clinic accepts Medicaid, third-party insurance, and private pay on a sliding-fee scale based on income. In FY2024, the clinic had 3,294 patient visits (2,009 adults and 1,285 children). Of the children served, 44% were uninsured/private pay.

Oral diseases, which range from cavities and gum disease to oral cancer, cause pain and disability for many in our community. Establishing good oral health practices and seeking early dental care is an important component of overall health and is especially important for children to begin routine dental care early in their lives.

This new application is required to receive additional funds for the current fiscal year's grant process.

Anticipated funding is \$5,000 and no County match is requested or required.

24-790 Banking Resolutions and Signature Cards

ACTION: 1) Adopted Resolution and Agreement for Deposit Account for Truist in the event of personnel changes and 2) authorized the Chair & Vice Chair of the Board of Commissioners, County Manager, and appointed Finance Officer to sign the signature cards, addendums, and incumbency certificates on behalf of Union County as necessary.



Corporation Sole Proprietorship Unincorporated Association
 General Partnership Limited Partnership Non-Profit Corporation
 Government Entity Limited Liability Company Other

Union County, North Carolina

Entity Name

TIN

The undersigned, acting in the capacity as corporate secretary or custodian of records for the above-named Entity, organized and existing under the laws of North Carolina, represents to Truist Bank ("Bank") that I have reviewed the governing documents and relevant records of the Entity and certify that resolutions or requirements similar to those below are adopted by and, are not inconsistent with the governing documents or records of the Entity, and that such resolutions or requirements are current and have not been amended or rescinded.

1. That the Bank is designated as a depository institution for the Entity and that by execution and delivery of this Resolution for Deposit Account the Entity will be bound by the Bank's deposit account agreement now existing or as may be amended. Any officer, agent or employee of the Entity is authorized to endorse for deposit any check, drafts or other instruments payable to the Entity, which endorsement may be in writing, by stamp or otherwise, with or without signature of the person so endorsing.
2. That any one individual named below (a "Designated Representative") is authorized to open accounts on behalf of the Entity, to close any account or obtain information on any account. Any one Designated Representative may appoint others (an "Authorized Signer") to conduct transactions on an account by authorizing them to sign their name to the signature card.

Designated Representatives' Signatures

Printed Name

Title

<u>Beverly L. Liles</u>	Beverly L. Liles	Finance Director
<u>Melissa M. Merrell</u>	Melissa M. Merrell	Chair, Board of Commissioners
<u>Brian W. Helms</u>	Brian W. Helms	Vice-Chair, Board of Commissioners

3. That the Bank is authorized upon the signature of any one signer on a signature card to honor, pay and charge the account of the Entity, all checks, drafts, or other orders of payment, withdrawal or transfer of money for whatever purpose and to whomever payable.

4. That any one Designated Representative may appoint, remove or replace an Authorized Signer, enter into a night depository agreement, enter into an agreement for cash management services, enter into an agreement for treasury services or products, lease a safe deposit box, enter into an agreement for deposit access devices, enter into an agreement for credit cards, enter into an agreement relating to foreign exchange and obtain foreign exchange services related thereto, or enter into any other agreements regarding an account of the Entity.
5. That any prior resolutions or requirements have been revoked or are no longer binding, and that this Resolution for Deposit Account applies to all accounts at the Bank and will remain in full force and effect until rescinded, replaced or modified in writing in a form acceptable to the Bank and after the Bank has had a reasonable time to act on such change.
6. That any transaction by an officer, employee or agent of the Entity prior to the delivery of this Resolution for Deposit Account is hereby ratified and approved.

Lynn G. West

Signature (Corporate Secretary/Custodian of Records)

Lynn G. West

Printed Name

12/2/2024

Date

FOR BANK USE ONLY

Prepared By _____ Center _____ Bank Number _____ State _____ Date _____

Forward to: Centralized Document Scanning Operations M/C 100-99-15-11

24-801 2024 General Obligation Bond Referendum

ACTION: 1) Adopted Resolution Certifying Results of the 2024 Union County General Obligation Referendum that were approved by voters on November 5, 2024, and 2) adopt Capital Project Ordinance 378.

On November 5, 2024, Union County voters approved the General Obligation Bonds (GO Bonds) Referendum for Union County Public Schools. The GO Bonds will provide funding for the design of a new high school to be known as Parkwood High School and the design and renovation of converting the current Forest Hills High School into a middle school to be known as East Union Middle School.

The Resolution Certifying results indicates the approval of \$39,425,000 of bonds plus interest to pay the capital costs of providing for the design of a new high school to be known as Parkwood High School and the design and renovation of converting the current Forest Hills High School into a middle school to be known as East Union Middle School.

The estimated cumulative cost over the life of the bond, using the highest interest rate of 5.344% charged for similar debt over the last twenty years is estimated at \$61,541,611. The estimated maximum annual debt service impact is \$4,077,755 beginning in FY2026 and commencing in FY2045. The annual estimated amount of property tax liability increases for each \$100,000 of property tax value to service the cumulative cost over the life of the bond is estimated at \$8.00 (based on 0.80¢ increase in the ad valorem property tax rate). This estimate is based on the legislative requirements of NC Session Law 2022-53 for bond referendums.

**RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND
REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$39,425,000
GENERAL OBLIGATION SCHOOL BONDS HELD FOR THE COUNTY OF UNION, NORTH
CAROLINA ON NOVEMBER 5, 2024**

WHEREAS, the Board of Commissioners of the County of Union, North Carolina has considered the Certificate of Canvass of the Union County Board of Elections canvassing the referendum held for the County of Union, North Carolina on November 5, 2024 and certifying the result thereof to the Board of Commissioners and has canvassed the result of said Referendum.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
THE COUNTY OF UNION, NORTH CAROLINA** that it be and hereby certified and declared that the number of voters registered and qualified to vote at said referendum was 183,689.

BE IT FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted “Yes” in answer to the question:

“Additional property taxes may be levied on property located in the County of Union, North Carolina in an amount sufficient to pay the principal of and interest on bonds if approved by the following ballot question. Shall the order authorizing \$39,425,000 of bonds plus interest to pay the capital costs of providing for the design, construction and renovation of facilities for Union County Public Schools, including, but not limited to, the design of a new high school to be known as Parkwood High School and the design and renovation of converting the current Forest Hills High School into a middle school to be known as East Union Middle School, the acquisition of equipment and furnishings therefor and the acquisition of land or rights-of-way, if necessary, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved, in light of the following:

- (1) The estimated cumulative cost over the life of the bond, using the highest interest rate charged for similar debt over the last 20 years, would be \$61,547,156 (consisting of \$39,425,000 principal amount of bonds plus \$22,122,156 of interest).
- (2) The estimated amount of property tax liability increase for each one hundred thousand dollars (\$100,000) of property tax value to service the cumulative cost over the life of the bond provided above would be \$8.00 per year.”

was 69,742. The total number of voters who voted “No” in answer to such question was 56,332. The question in the form submitted was APPROVED by the vote of a majority of those who voted thereon at said referendum.

BE IT FURTHER RESOLVED, that a statement substantially in the form hereinafter set forth declaring the result of said referendum will be filed in the office of the Clerk to the Board of Commissioners and inserted in the Board of Commissioners minutes and published in accordance with law.

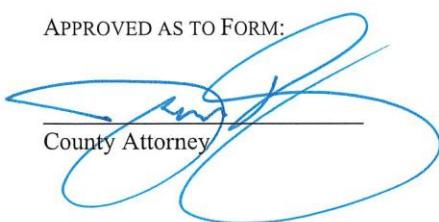
BE IT FURTHER RESOLVED, that this Resolution shall become effective on the date of its adoption.

READ, APPROVED AND ADOPTED this 2nd day of December, 2024.

Tom D. West
Clerk to the Board of Commissioners

Melissa M. Merrill
Chairman

APPROVED AS TO FORM:



County Attorney

UNION COUNTY, NORTH CAROLINA
UCPS Capital 2024-2025
CAPITAL PROJECT ORDINANCE #378

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NORTH CAROLINA:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

UCPS Capital;
Parkwood High School Phase I
East Union Middle School Phase II

Including the replacement of equipment, the acquisition and construction of new facilities, the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefore, \$39,425,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available until completion of these projects to meet the appropriations in Section I, as set forth in the following schedule:

General Obligation Bond Proceeds	\$ 39,425,000
----------------------------------	---------------

Section III. The attached CPO #378 chart is incorporated herein showing appropriations to date, additions as of this capital project ordinance, and the total appropriation.

Section IV. That the finance officer is authorized from time to time to transfer as a loan from the General Fund or unspent County proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the finance officer is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Section V. This capital project ordinance is adopted and effective this 2nd day of December 2024.

ATTEST:

Lynn G. West
Lynn G. West,
Clerk to the Board

Melina M. Merrill
Chair, Union County Board of
Commissioners

CAPITAL PROJECT ORDINANCE AMENDMENT

BUDGET FISCAL YEAR				UCPS CIP Fund FY 2025		REQUESTED BY DATE			UCPS December 2, 2024	
PROJECT SOURCES				PROJECT USES						
Source Description and Code		Project To Date	Requested Amendment	Revised Project	Project Description and Code		Project To Date	Requested Amendment	Revised Project	
GO Bond Proceeds		-	39,425,000	39,425,000	Parkwood High Phase I		-	10,995,000	10,995,000	
					East Union Middle Phase II		-	28,430,000	28,430,000	
Total		-	39,425,000	39,425,000	Total		-	39,425,000	39,425,000	

EXPLANATION: Appropriate bond proceeds for Parkwood High School Phase I and East Union Middle School Phase II.

DATE: _____

APPROVED BY:

Bd of Comm/County Manager
Lynn West/Clerk to the Board

PROJECT SOURCES				PROJECT USES					
Source Description and Code		Project To Date	Requested Amendment	Revised Project	Project Description and Code		Project To Date		
Parkwood High Phase I GO Bond Proceeds 40182377-4710		-	10,995,000	10,995,000	Parkwood High Phase I Payment to Other Govt Agencies 40182377-5630		-	10,995,000	10,995,000
East Union Middle Phase II GO Bond Proceeds 40182378-4710		-	28,430,000	28,430,000	East Union Middle Phase II Payment to Other Govt Agencies 40182378-5630		-	28,430,000	28,430,000
Total		-	39,425,000	39,425,000	Total		-	39,425,000	39,425,000

Prepared By EC
Posted By _____
Date _____

Number CPO - 378

24-833 Contract – Forensic Pathology Services

ACTION: Authorized the County Manager to 1) negotiate and execute an agreement substantially consistent with this agenda item, 2) exercise any renewal or extension term options set forth in the Agreement, and 3) terminate the Agreement if deemed in the best interest of the County, each in the County Manager's discretion.

This contract between Union County and NC DHHS Division of Public Health specifies that the County will provide forensic pathology services in North Carolina through professional staff, technical staff, and suitable facilities for death investigations and autopsies as a regional autopsy center (RAC) beginning December 16, 2024. The contract also serves as an agreement for the state to reimburse the County on a per-autopsy basis at the statutory fixed cost rates as defined in NCGS 130A-389(a) and NCGS 130A-389(a1).

Anticipated revenues of \$2,175 per autopsy for 440 autopsies equal to \$957,000

24-808 Resolution – Surplus Vehicle Sale

ACTION: Adopted Resolution Authorizing Surplus Property Sale by Internet Auction which 1) declares the property itemized on Attachment A as "Surplus" to the needs of Union County, 2) authorizes sale at electronic auction of the surplus property described in Attachment A as per the terms and conditions as specified in the online auction service provider contract, and 3) authorizes the Procurement Director or her designee to execute any and all documents necessary to transfer title to said property on behalf of Union County.

North Carolina General Statutes allow the disposition of personal property by local governments through a variety of means including private negotiations and sale; advertisement for sealed bids; negotiated offer, advertisement, and upset bid; public auction; or exchange. In 2001, the legislature amended the Statutes to provide for the disposition of property through electronic auction.

The sale will begin December 3, 2024, at 9:00 AM and end December 13, 2024, with incremental closings as indicated on Attachment A.

The vehicles are to be picked up at 610 Patton Avenue, Monroe, NC with the following terms of sale:

1. Sale to the highest bidder with all sales final.
2. All items sold "as is" with no warranty, expressed or implied, which extends beyond the description of the item.

3. Purchasers must remove vehicles(s) within ten (10) business days from the time and date of issuance of the Buyer's Certificate.

4. Payment must be made online through the online auction website. Payment in full is due not later than five (5) business days from the time and date of the Buyers Certificate. Payment will not be accepted onsite.

Estimated revenue is \$75,000. The revenue will be returned to the fund from which the asset came.

RESOLUTION AUTHORIZING SURPLUS PROPERTY SALE BY INTERNET AUCTION

WHEREAS, G.S. 160-270(c) allows Union County to sell personal property at electronic auction upon adoption of a resolution authorizing the Procurement Manager or her designee to dispose of the property at electronic auction; and

WHEREAS, the Procurement Manager has developed a list of these items as shown on Attachment "A" for review by the Board of Commissioners for disposal by electronic auction;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Union County Board of Commissioners that the items of personal property included on Attachment "A" and incorporated herein by reference, be declared surplus and that the Procurement Manager or her designee be authorized to sell at electronic auction, beginning December 3, 2024, at 9:00 a.m. and ending December 13, 2024, with incremental closings as indicated on Attachment "A", the surplus property described on Attachment "A", as per the terms and conditions as specified in the County's existing contract with the on-line auction Service Provider to the highest bidders.

BE IT FURTHER RESOLVED that the Procurement Director or her designee is authorized to execute any and all documents necessary to transfer said property on behalf of Union County.

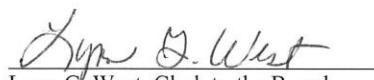
BE IT FURTHER RESOLVED that the terms of sale applicable at the aforementioned auction of the items listed on Attachment "A" shall be as follows:

1. Sale to the highest bidder with all sales final.
2. All items sold "as is" and "where is" with no warranty, expressed or implied, which extends beyond the description of the items.
3. Purchasers must remove vehicle(s) within ten business days from the time and date of issuance of the Buyer's Certificate. The vehicles are to be picked up at 610 Patton Avenue, Monroe, North Carolina. Purchasers shall bear sole risk of loss for all items remaining on the premises ten (10) calendar days from the time and date of issuance of the Buyer's Certificate.
4. Payment must be made online through the on-line auction Website. Payment in full is due not later than five (5) calendar days from the time and date of the Buyer's Certificate. Payment cannot be accepted onsite.

BE IT FURTHER RESOLVED that payment of advertising and miscellaneous expenses be paid from the proceeds of the sale.

Adopted this 2nd day of December 2024

ATTEST:



Lynn G. West, Clerk to the Board



Chairman

Tag Number	Description	Serial/Parcel	Mileage	Department	Auction Start	Auction End
03-08	2008 DODGE CHARGER	2B3KA43H38H239968	118,483	UCSO	12/3/2024 9:00:00 AM	12/13/2024 9:00 AM
08-14	2014 Ford F-350 Super Duty 4x4	1FDRF3BT0EEA43631	187,680	UC Water	12/3/2024 9:00:00 AM	12/13/2024 9:10 AM
22-05	2005 Ford Explorer	1FMZU72K95Z463678	9,968	Facilities	12/3/2024 9:00:00 AM	12/13/2024 9:20 AM
26-07	2007 Chevrolet Malibu	1G1Z557F37F232228	87,348	HHS	12/3/2024 9:00:00 AM	12/13/2024 9:30 AM
30-14	2014 FORD TAURUS	1FAHP2MK7EG127791	215,416	UCSO	12/3/2024 9:00:00 AM	12/13/2024 9:40 AM
30-08	2008 DODGE AVENGER	1B3LC46R88N220326	45,194	HHS	12/3/2024 9:00:00 AM	12/13/2024 9:50 AM
41-07	2005 Ford F150 4x4	1FTRX14W07FA87414	109,224	Facilities	12/3/2024 9:00:00 AM	12/13/2024 10:00 AM
43-06	2006 CARGO FORD VAN	1FTSS34P36DA67205	118,685	Facilities	12/3/2024 9:00:00 AM	12/13/2024 10:10 AM
43-14	2014 FORD F150	1FTMF1CM4EKD94778	172,577	UC Water	12/3/2024 9:00:00 AM	12/13/2024 10:20 AM
50-08	2008 Chevrolet Silverado 1500 4x4	2GCEK133081332533	145,130	Solid Waste	12/3/2024 9:00:00 AM	12/13/2024 10:30 AM
52-14	2014 FORD F150	1FTMF1CMXEF863005	147,691	UC Water	12/3/2024 9:00:00 AM	12/13/2024 10:40 AM
53-14	2014 FORD F-150	1FTFX1EF9EFB70578	205,143	UC Water	12/3/2024 9:00:00 AM	12/13/2024 10:50 AM
66-19	2019 FORD E-350 LTV BUS	1FDEE3FS9KDC35697	172,376	Transportation	12/3/2024 9:00:00 AM	12/13/2024 11:00 AM

24-820 Minutes for Approval

ACTION: Approved minutes of the regular meeting of November 18, 2024

Information Only

24-795 Monthly Update – Wastewater Treatment Capacity

ACTION: No action was requested. Information only.

Union County Water is closely monitoring the wastewater treatment capacities at our Water Reclamation Facilities. Permitting Capacity is evaluated using the Actual Plant Flows plus the Permitted/Obligated Flows (unconnected). Union County Water was asked to provide regular updates. Plant flow information through November 2024 is summarized in the attached table.

Twelve Mile Creek

- Percent of Actual Flows = 72.4%
- Percent of Actual + Permitted Flows = 92.3%

- Actual Flows (MGD) = 5.427
- Actual + Permitted Obligated Flows (MGD) = 6.926

Crooked Creek

- Percent of Actual Flows = 60.0%
- Percent of Actual + Permitted Flows = 90.6%
- Actual Flows (MGD) = 1.140
- Actual + Permitted Obligated Flows (MGD) = 1.722

Olde Sycamore

- Percent of Actual Flows = 30.7%
- Percent of Actual + Permitted Flows = 30.7%
- Actual Flows (MGD) = 0.046
- Actual + Permitted Obligated Flows (MGD) = 0.046

Tallwood

- Percent of Actual Flows = 46.0%
- Percent of Actual + Permitted Flows = 46.0%
- Actual Flows (MGD) = 0.023
- Actual + Permitted Obligated Flows (MGD) = 0.023

Grassy Branch

- Percent of Actual Flows = 96.0%
- Percent of Actual + Permitted Flows = 98.0%
- Actual Flows (MGD) = 0.048
- Actual + Permitted Obligated Flows (MGD) = 0.049

In addition to the wastewater treatment capacities, flow volumes associated with development projects that are in the planning and review process within the Twelve Mile Creek and Crooked Creek WRF service areas are provided for information as well. Development flow volumes through November 2024 are summarized in the tables below

.

Water Reclamation Facility Flows

WRF	Permitted Capacity (MGD)	Actual Average Daily Flow ¹ (MGD)	Percent of Actual Flow Used	Actual + Permitted Obligated Flows (MGD)	Percent of Permitted Flow Used	Actual Rainfall (in)
Twelve Mile Creek	7.5	5.427	72.4%	6.926	92.3%	0.1
Crooked Creek	1.9	1.140	60.0%	1.722	90.6%	2.2
Olde Sycamore	0.15	0.046	30.7%	0.046	30.7%	1.4
Tallwood	0.05	0.023	46.0%	0.023	46.0%	1.2
Grassy Branch	0.05	0.048	96.0%	0.049	98.0%	1.8

¹Based on a 12-month rolling average.

Development Flows

12-Mile Creek WRF		
Backlog Type	Number of Projects	Requested Flow (MGD)
Approved – Permit Submittal Pending	2	0.133
Engineering Plan Review	13	0.508
Sketch Plan Review	15	0.731
Totals	30	1.372

Crooked Creek WRF		
Backlog Type	Number of Projects	Requested Flow (MGD)
Approved – Permit Submittal Pending	2	0.051
Engineering Plan Review	7	0.175
Sketch Plan Review	3	0.054
Totals	12	0.280

24-811 Tax Collector's Departmental Report for October 2024

ACTION: No action requested. Information only.

This report reflects the totals of all tax transactions within the Tax Collector's Office for the month of October 2024 as required by NCGS 105-350(7).



Memorandum

To: Board of County Commissioners
Brian Matthews, County Manager
Lynn West, Clerk to the Board

From: Vann Harrell
Tax Administrator

Date: November 8, 2024

Re: Departmental Monthly Report

The Tax Collector's monthly/year to date collections report for the month ending October 31, 2024 is attached for your information and review.

Should you desire additional information, I will provide that at your request.

Attachment

VH/JM

Tax Administration | Revenue Division
500 N. Main St., Suite 119
Monroe, NC 28112

T 704.283.3848

unioncountync.gov

OCTOBER 2024
PERCENTAGE FOR REGULAR TAX

OCTOBER 31, 2024 REGULAR TAX	2024	2023	2022	2021
BEGINNING CHARGE	237,462,552.18	226,119,601.31	216,943,492.71	208,152,978.28
TAX CHARGE				
PUBLIC UTILITIES CHARGE				
DISCOVERIES	97,421.09			
NON DISCOVERIES	1,993.36	2,205.42	2,205.42	2,218.57
RELEASES	(249,366.96)	(3,716.90)	(752.50)	(648.97)
TOTAL CHARGE	237,312,599.67	226,118,089.83	216,944,945.63	208,154,547.88
BEGINNING COLLECTIONS	31,098,443.41	225,931,923.72	216,834,850.10	208,071,844.07
COLLECTIONS	10,974,252.95	16,325.08	7,583.80	4,200.18
TOTAL COLLECTIONS	42,072,696.36	225,948,248.80	216,842,433.90	208,076,044.25
BALANCE OUTSTANDING	195,239,903.31	169,841.03	102,511.73	78,503.63
PERCENTAGE OF REGULAR	17.73%	99.92%	99.95%	99.96%
OVERALL CHARGED	237,312,599.67	226,118,089.83	216,944,945.63	208,154,547.88
OVERALL COLLECTED	42,072,696.36	225,948,248.80	216,842,433.90	208,076,044.25
OVERALL PERCENTAGE	17.73%	99.92%	99.95%	99.96%

OCTOBER 2024
PERCENTAGE FOR REGULAR TAX

OCTOBER 31, 2024 REGULAR TAX	2020	2019	2018	2017
BEGINNING CHARGE	192,184,591.23	186,541,899.71	180,719,078.58	186,663,147.60
TAX CHARGE				
PUBLIC UTILITIES CHARGE				
DISCOVERIES				
NON DISCOVERIES	228.00			0.01
RELEASES	(1,033.88)	(1,159.15)	(1,267.14)	
TOTAL CHARGE	192,183,785.35	186,540,740.56	180,717,811.44	186,663,147.61
BEGINNING COLLECTIONS	192,102,074.15	186,437,740.39	180,657,414.76	186,613,396.52
COLLECTIONS	380.26	(146.84)	(1,140.46)	32.70
TOTAL COLLECTIONS	192,102,454.41	186,437,593.55	180,656,274.30	186,613,429.22
BALANCE OUTSTANDING	81,330.94	103,147.01	61,537.14	49,718.39
PERCENTAGE OF REGULAR	99.96%	99.94%	99.97%	99.97%
OVERALL CHARGED	192,183,785.35	186,540,740.56	180,717,811.44	186,663,147.61
OVERALL COLLECTED	192,102,454.41	186,437,593.55	180,656,274.30	186,613,429.22
OVERALL PERCENTAGE	99.96%	99.94%	99.97%	99.97%

OCTOBER 2024
PERCENTAGE FOR REGULAR TAX

OCTOBER 31, 2024 REGULAR TAX	2016	2015
BEGINNING CHARGE	176,859,604.37	174,193,635.20
TAX CHARGE		
PUBLIC UTILITIES CHARGE		
DISCOVERIES		
NON DISCOVERIES		
RELEASES		
TOTAL CHARGE	176,859,604.37	174,193,635.20
BEGINNING COLLECTIONS	176,818,112.01	174,171,587.92
COLLECTIONS	59.22	16.62
TOTAL COLLECTIONS	176,818,171.23	174,171,604.54
BALANCE OUTSTANDING	41,433.14	22,030.66
PERCENTAGE OF REGULAR	99.98%	99.99%
OVERALL CHARGED	176,859,604.37	174,193,635.20
OVERALL COLLECTED	176,818,171.23	174,171,604.54
OVERALL PERCENTAGE	99.98%	99.99%

Business

24-831 Resolution – Resolution in Support of House Bill 463, “North Carolina Farmland and Military Protection Act”

Chair Merrell called the next agenda item, **Resolution 24-831**, titled “*Resolution in Support of House Bill 463, North Carolina Farmland and Military Protection Act.*” She recognized Vice Chair Brian Helms to present the item.

Vice Chair Brian Helms explained that he brought this proposed resolution forward after hearing Commissioner Christina Helms speak about it several months ago. He stated that he did some research, and he wanted to make a few key points. He said that, obviously, farmland is vital to Union County. He referenced a 2021 report by the Department of Agriculture that noted China owns approximately 384,000 acres of American agricultural land, a figure that increased by about 30 percent between 2019 and 2020. He further noted that North Carolina accounts for 13 percent of the total acres of Chinese-owned farmland in the United States.

Vice Chair Brian Helms noted that 24 states currently prohibit or limit the sale of farmland to foreign countries or entities. He said, however, North Carolina is not among them. He listed the states with such restrictions, which include Alabama, Arkansas, Florida, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wisconsin.

Vice Chair Brian Helms stressed that this issue is important to Union County for many reasons beyond obvious issues of farmland. He explained that Union County is relatively close to many nuclear facilities and, even though it is not near military bases, as specifically referenced in the bill, it still presents a security issue for the county. He pointed out that South Carolina, Union County's neighbor to the south, has already made limitations on how much foreign-owned farmland can be acquired. He noted that South Carolina has approximately 20.5 million acres but only 500,000 acres can be owned by non-U.S. citizens or entities.

Vice Chair Brian Helms noted that there was a bill in the State that sort of died on the vine. He explained this resolution seeks to urge and recommend to the state legislature that they should reconsider it.

Vice Chair Brian Helms emphasized the importance of agriculture to Union County, and noted that agriculture is vital to Union County, and it is important that it be protected. He added that he had heard it said that if foreign countries own our farmland, they own us. He said he could not agree more.

Vice Chair Brian W. Helms concluded by stating that he would be in support of the resolution.

Commissioner Christina Helms expressed her gratitude for Vice Chair Brian Helms' call to action. She shared that her husband is a farmer, and said she was very proud of him and all the farmers in Union County, including Commissioner Baucom. She emphasized the importance of this bill to Union County and said there is not a soul on this earth who does not rely on a farmer.

Commissioner Christina Helms moved the adoption of the resolution in support of House Bill 463, the North Carolina Farmland and Military Protection Act.

Commissioner Gary Sides expressed his support, stating, as Vice Chair Brian Helms mentioned, that there are nuclear facilities in our state, military bases, and a high-tech area in the Triangle area. He stated that all of those could be imperiled by a foreign entity owning land nearby. He said he thought that North Carolina, as much as any other state, has security installations to be protected, and it is his hope that by Union County taking this action, it will awaken Raleigh to this issue and lead to statewide action.

Chair Merrell confirmed with Jason Kay, that it was not required to read the resolution.

Jason Kay confirmed that it was not required because the resolution was included in the full agenda packet; therefore, it can be adopted by reference and does not need to be read.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Sides	Aye
Commissioner Helms	Aye
Commissioner Baucom	Aye



OFFICE OF THE COMMISSIONERS AND MANAGER

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RESOLUTION IN SUPPORT OF HOUSE BILL 463, "NORTH CAROLINA FARMLAND AND MILITARY PROTECTION ACT"

WHEREAS, on March 23, 2023, House Bill 463, referenced therein as the "North Carolina Farmland and Military Protection Act" (the "Act"), was filed in the North Carolina House of Representatives; and

WHEREAS, the Act provides that it is in the public interest for the State to guard its agricultural land from the potential of adversarial foreign government control in order to ensure that the State's farmers are able to produce a safe, abundant, and affordable supply of food and fiber for the benefit of the people of the State of North Carolina and the United States; and

WHEREAS, the Act generally provides that no adversarial foreign government shall purchase, acquire, lease, or hold any interest in agricultural land or land situated within a 25-mile radius of a military installation; and

WHEREAS, the General Assembly did not fully adopt House Bill 463; and

WHEREAS, the Union County Board of Commissioners agrees that safeguarding and preserving farmland from adversarial foreign government interests in order to secure a safe, abundant, and affordable supply of food and agricultural products is a matter of critical importance to the residents of Union County, particularly those who own or live near agricultural land in Union County; and

WHEREAS, the Union County Board of Commissioners believe that adoption of the Act, or a similar bill in the next biennial session of the General Assembly, would assist in protecting the health, safety, and welfare of the people of Union County and the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Commissioners requests that the General Assembly adopt, and that the Union County Legislative Delegation support the adoption of, House Bill 463, the "NC Farmland and Military Protection Act," or a similar bill in the next biennial session of the General Assembly.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Union County Legislative Delegation to the North Carolina General Assembly.

Adopted this 2nd day of December, 2024.



Chair, Union County Board of Commissioners

24-832 County Participation in Outside Events

Chair Merrell recognized Vice Chair Brian W. Helms for his comments regarding this item.

Vice Chair Brian W. Helms reported that this item was discussed by the Board in August 2023. He stated that he thought it was important that the Board reconsider this item as a good first step for the Board. He explained that over the past few years, there have been organizations that host parades, festivals, and other events that include adult content that celebrate their respective causes within our borders. He stated that while these organizations have rights, such as the Freedom of Speech that are protected by the Constitution of the United States and currently can legally assemble under state and local law, the County has the protected right to decline its involvement, participation, support, and even perceived support for these events.

Vice Chair Brian W. Helms said it has been seen in the past that participation specifically from County personnel in their official function, even under the best intentions, has been promoted by these organizations as official sponsorship of Union County without permission of the County. He stated the misunderstanding of official sponsorship from participating in these events has caused confusion and concern to residents. He said in order to prevent future misunderstandings, an official county policy should be established, a policy that staff can enforce.

He stated to be clear this policy is not going to prohibit any employee from attending events such as this in their free time. He said the County does not have the right to tell folks what they can or cannot do when they are off the clock. He further said it does not restrict the protected right for these organizations to assemble and certainly does not impede their First Amendment rights. He stated that the policy simply prohibits the County and its departments, such as the Health Department from participating in these events and offering STD education or administering vaccinations outside of regular Health Department hours. He said services such as these are still available during normal business hours and this motion will not prohibit anyone from receiving those services. He stressed that he thought this policy was important and that Union County needs to be protected, its logo needs to be protected, and the perceived support against these actions that might not represent the values of the governmental organization or the people that it represents.

Vice Chair Brian W. Helms said personally he cannot support dedicating County resources, either financial or otherwise, supplied ultimately by the taxpayer of the County for events that he believes are inappropriate for children despite what the advertisements suggest.

Following his comments, Vice Chair Brian W. Helms moved:

To prohibit official participation of Union County, including its employees in

their official capacity, in any festival, parade, or other similar community events which includes, or is reasonably likely to include based on past practices, future plans, advertisements, or other information known to the County, unlawful activity under Article 26A which is adult establishments, of Chapter 14 of the North Carolina General Statutes, male or female impersonators who provide entertainment that appeals to a prurient interest, or other events that appeal to the prurient interest.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Sides	Aye

24-832 Senior Nutrition Home Delivered Meals Waiting List

Chair Merrell recognized Commissioner Sides for his comments regarding this item.

Commissioner Sides said he attended the October 21, 2024, County Commissioners' meeting when Mr. Andrew Friend, Executive Director, Union County Council on Aging made a presentation on the Home and Community Care Block Grant Committee. He noted that the item "Senior Nutrition Home Delivered Meals" shows that the County is currently serving hot or frozen meals five days per week to some 300 residents who for various reasons, cannot get out themselves. He stated that there is a waiting list of 529 residents and that number is growing on a weekly basis. He stated that he is not proposing that the Board take action tonight, but he believes the Board needs additional information.

Commissioner Sides requested that staff prepare the following for the Board's meeting on December 16, 2024:

- a) Explain the vetting process for those who are requesting or referred for meals.
- b) Confirm the actual waiting list.
- c) Determine the funding source and the amount needed to completely address the waiting list for the remainder of this fiscal year.
- d) Provide the best option for funding those needs.

Commissioner Sides said the County currently provides five meals per week, and he wanted to review the option of providing two additional meals on Friday, frozen or shelf-stable meals, so that the County is providing seven meals per week (one for each day of the week).

He added that if the Board chooses to move forward with this item, he wanted

discussion with Human Services about how to ramp up the volunteers to deliver the increased amount of meals. He said perhaps staff could provide those meals on December 16 for the Board to sample. He suggested adding this item to the December 16 meeting.

Vice Chair Brian W. Helms stated that he thought this was a good idea and that the County should explore the cost. He agreed it is a significant need. He stated that he thought directing staff formally to bring additional information to the Board is good, and it shows that the Board is taking this need for the senior residents seriously.

Chair Merrell and Vice Brian W. Helms expressed appreciation to Commissioner Sides for bringing this matter to the Board.

24-855 Text Amendments to Sections 5.030-C (Cluster Development) and 60.040 of the Union County Development Ordinance (Public Hearing Held Earlier in the Meeting and the item was added to the agenda during the meeting.)

Chair Merrell recognized Vice Chair Brian W. Helms for his comments regarding this item.

Vice Chair Brian W. Helms said he thought it was important for the Board to act on this item tonight. He stated that the Board had heard from Lee Jenson, Planning Director, that there is consensus on the 30 percent open space requirement. He stated that the Land Use Board voted unanimously to support the text amendment. He said the Board of Commissioners has been committed to reducing the density within the County's jurisdiction, and this amendment is a huge first step in doing so.

Following his comments, Vice Chair Brian W. Helms moved to (i) Adopt the Ordinance Approving Text Amendments to the Unified Development Ordinance of Union County, North Carolina, and (ii) adopt the consistency and reasonableness statement for approval.

Commissioner Sides asked Mr. Jenson if the property was large enough and if the property owner was inclined to donate land for the purpose of the construction of a school, would that fit the definition of open space?

Mr. Jenson responded that under the current wording, he did not believe it would fit the definition of open space. He offered that if that is something the Board wanted to look at in the future, staff could review it.

Commissioner Sides asked if the Board could approve the proposed text amendments tonight and then look at a text amendment in the future to change the definition. He asked the Board members for their thoughts.

Chair Merrell suggested that the Board take care of the proposed text amendments tonight and that Commissioner Sides meet with Mr. Jenson to discuss in more details, and if more information needs to be brought to the Board at another date, that would be great.

Commissioner Sides said that seemed prudent and he agreed.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Sides	Aye

**ORDINANCE APPROVING TEXT AMENDMENTS TO THE UNIFIED
DEVELOPMENT ORDINANCE OF UNION COUNTY, NORTH CAROLINA**

WHEREAS, the Union County Board of County Commissioners (the “Board”) heretofore enacted the “Unified Development Ordinance of Union County, North Carolina,” including any amendments thereto (the “UDO”); and

WHEREAS, Union County has received an application for revision of certain provisions of the UDO, TXT 2024-002 submitted to the Board, specifically related to open space requirements of the UDO (the “Text Amendments”); and

WHEREAS, the Union County Land Use Board considered and made a recommendation concerning approval of the Text Amendments; and

WHEREAS, the Text Amendments are adopted pursuant to the Board’s authority to regulate the subdivision of land set forth in Article 8 of Chapter 160D of the North Carolina General Statutes, including, without limitation, requirements for recreation and open spaces set forth in N.C.G.S. § 160D-804; and

WHEREAS, the Board has determined that approval and adoption of the Text Amendments is reasonable and in the public interest, including for those reasons set forth in the contemporaneously adopted consistency and reasonableness statement.

NOW, THEREFORE, BE IT ORDAINED by the Union County Board of Commissioners as follows:

1. The Text Amendments are hereby approved and the UDO is hereby amended as shown on Exhibit A, which is attached to this ordinance.
2. This ordinance is effective upon adoption.

Adopted this 2nd day of December, 2024.

s/Melissa M. Merrell Chair, Union County
Board of Commissioners

**CONSISTENCY AND REASONABLENESS STATEMENT FOR APPROVAL
OF THE PROPOSED TEXT AMENDMENTS (THE TEXT AMENDMENTS
ARE CONSISTENT WITH THE CURRENT PLAN) (TXT-2024-002)**

Pursuant to Section 80.030-G of the Unified Development Ordinance of Union County, North Carolina, the Union County Board of Commissioners (the “Board”) does hereby find and determine that adoption of the proposed text amendments is consistent with the currently adopted Union County Comprehensive Plan (the “Plan”) and that adoption of the proposed text amendments is reasonable and in the public interest because:

1. These open space requirements will ensure there are open space recreation areas in major subdivisions which serve residents of the immediate neighborhood within the subdivision.
2. The Plan calls for increased open space requirements for the preservation of tree cover, open space and similar environmental features in the rural areas of the County, thereby protecting the rural character of such areas and related environmental features. A proposed implementation of this strategy of the Plan is requiring a minimum of 30% open space in major subdivisions to accomplish that goal.
3. Protecting open spaces will help preserve the tree canopy and open spaces in areas meeting such open space requirements.

24-819 Appointment of Commissioners to Boards and Committees

Chair Merrell asked Lynn G. West, Clerk to the Board, if the Board should go through the list of appointments to the Boards and Committees or bring the list back to the Board on December 16.

Ms. West responded that the Board could make the appointments at this meeting or make them at the December 16 meeting.

Brian Matthews, County Manager, interjected that he would ask that the appointment to the Monroe-Union County Economic Development Commission be made tonight. He said that the appointment has some time sensitivity.

Commissioner Sides volunteered to serve on the Monroe-Union County Economic Development Commission.

Chair Merrell asked if two appointments were needed for that commission.

Mr. Matthews responded that two appointments were needed but that Chair Merrell is currently serving in one of those positions.

Chair Merrell stated that she would like to remain in that appointment.

Chair Merrell moved to appoint Commissioner Sides to serve on the Monroe-Union County Economic Development Commission.

Commissioner Sides asked if the Economic Development Board of Advisors would go with that appointment.

Mr. Matthews recommended that the Board not make that appointment tonight because it has not been decided how that works with the current structure.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye
Commissioner Baucom	Aye
Commissioner Christina B. Helms	Aye
Commissioner Sides	Aye

Chair Merrell stated that the Commissioners would review the other appointments and this item would be on the agenda for December 16.

County Manager's Comments

Brian Matthews, County Manager, congratulated the newly-elected Commissioners. He said he looked forward to working with the Board and receiving the Board's goals and directions for the future.

Commissioners' Comments

Commissioner Baucom congratulated Commissioner Christina Helms, Chair Merrell, Vice Chair Brian W. Helms, and Commissioner Gary Sides. He stated he looked forward to working with them, and he thought that everyone had The County's best interest at heart, and he thought the Board could do a lot of good for the County.

Commissioner Christina Helms expressed appreciation to her family and friends who attended tonight's meeting. She said she was very excited that all the Commissioners took an oath tonight. She stated she was very proud and excited to see what work the Board has coming forward and doing the best job it possibly can for Union County.

Commissioner Christina Helms also expressed appreciation to Vice Chair Brian W. Helms and Jason Kay for working on the Resolution to protect the farmlands. She said that she could not express how vital it is to not only Union County residents but also to North Carolina residents as a whole. She said that Union County is near a nuclear facility and is not that far from Fort Bragg and Camp LeJuene. She stressed that it is vital to protect these properties. She said she wanted to make sure that Union County

stays looking like Union County. She further said that Union County is a farming community and it is something of which we should be very proud.

Commissioner Sides expressed appreciation to his wife, Myra Kay, and his son, Logan for attending tonight's meeting.

Vice Chair Brian W. Helms said that he sees a lot of familiar faces in the audience who have had a huge impact on the county and a lot of faces who have given each of the Board members a lot of support. He stated he is thankful to see each of them present tonight.

He said that he thought Commissioner Baucom's comments about the Board were fantastic. He stated that he looks at this Board and sees an opportunity to make some positive changes for the County.

Vice Chair Brian W. Helms extended his congratulations to Commissioner Christina Helms, Commissioner Baucom, and Commissioner Gary Sides. He said he was very grateful to have all three on the Board. He also offered his congratulations to Commissioner Merrell as the new Chair. He stated he is excited to see what the Board will do under Chair Merrell's leadership.

He expressed appreciation to all who attended tonight's meeting.

Chair Merrell said that she saw many friends and family at the meeting tonight in support of the new Commissioners. She shared that she had the privilege of working with Commissioner Christina Helms and Commissioner Sides on the Union County Board of Education dating back to 2014. She recognized members of the Board of Education present tonight: Vice Chair Jimmy Bention and Chair Kathy Heintel were in attendance earlier tonight.

She recognized her husband, Rob Merrell, who was also in attendance tonight.

Chair Merrell said there is a lot of heavy lifting in front of the Board and asked those in attendance to stay involved and help the Board make the big decisions that are so important to the County.

Adjournment

With there being no further comments or discussion, at approximately 7:15 p.m., Commissioner Christina Helms moved to adjourn the regular meeting.

The motion passed unanimously as follows:

Chair Merrell	Aye
Vice Chair Brian W. Helms	Aye

Commissioner Baucom
Commissioner Christina B. Helms
Commissioner Sides

Aye
Aye
Aye